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TRANSMITTAL FORM

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TRANSMITTAL FORM		Application Number	10/038,296
		Filing Date	01/02/2002
		First Named Inventor	Adrian Kawa
		Art Unit	1761
		Examiner Name	Curtis E. Sherrer
Total Number of Pages in This Submission	113	Attorney Docket Number	10047-KINTARO

ENCLOSURES (Check all that apply)			
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Technology Center (TC)	
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences	
<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)	
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information	
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter	
<input checked="" type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):	
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	<i>-IDS PTO-1449 w/ References</i>	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund		
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____		
<input type="checkbox"/> Response to Missing Parts/Incomplete Application			
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53			
Remarks			

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Kamran Fattahi, Esq. Law Offices of Kamran Fattahi
Signature	<i>Kamran Fattahi</i>
Date	02/23/2004

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Kamran Fattahi	
Signature	<i>Kamran Fattahi</i>	Date 02/23/2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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FEET TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$235.00)

Complete If Known

Application Number	10/038,296
Filing Date	01/02/2002
First Named Inventor	Adrian Kawa
Examiner Name	Curtis E. Sherrer
Art Unit	1761
Attorney Docket No.	10047-KINTARO

METHOD OF PAYMENT (check all that apply)

Check Credit card Money Order Other None

 Deposit Account:

Deposit Account Number	
Deposit Account Name	

The Director is authorized to: (check all that apply)

- Charge fee(s) indicated below Credit any overpayments
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FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	55.00
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	180.00
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

SUBTOTAL (1) (\$0.00)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
16	-20** = 0	X 0 = 0	
Independent Claims 2	- 3** = 0	X 0 = 0	
Multiple Dependent			= 0

Large Entity	Small Entity	Fee Description
Fee Code (\$)	Fee Code (\$)	
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 86	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$0.00)

**or number previously paid, if greater; For Reissues, see above

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$235.00)

SUBMITTED BY

(Complete if applicable)

Name (Print/Type)	Kamran Fattahi	Registration No. (Attorney/Agent)	35,758	Telephone	818-996-0015
Signature	Kamran Fattahi			Date	02/23/2004

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August 13, 2002

Mr. Adrian Kawa
Kintaro Sake Company
2048 Broadway Place
Santa Monica, CA 90404

RE: Pineapple Infused Sake Preservation Results

Dear Mr. Kawa,

We have completed the stability study of the pineapple infused sake project. To refresh you on the specifics of what this study entailed, we applied 4 different treatments to two batches of pineapple infused sake; 145°F hot fill, 300 ppm potassium sorbate, 300 ppm sodium benzoate, 300 ppm benzoate and sorbate. The different treatments along with the control were then placed in a 86°F incubator as an accelerated shelf life test. Three replications of the above treatments were performed in 100 ml samples. The samples were visually inspected for swelling and physical separation every 3 days and plated to assess microbiological levels at weekly intervals. The microbiological analysis involved the determination of the levels of yeasts, molds and total aerobic plate counts in the various sake samples.

The results of the shelf life study over the course of the 181 day accelerated shelf life are as follows:

The samples were sampled weekly to determine the levels of bacteria, yeasts and molds. To assess the bacterial levels, Plate Count Agar (PCA) was used with duplicate 1 ml samples of each treatment and replicate treatments. The plates were incubated at 30°C for 2 days before enumeration. The counts are expressed as \log_{10} colony forming units (CFU)/milliliter. Yeast and mold were enumerated by taking 1-ml samples of the various treatments and mixing with acidified Potato Dextrose Agar (pH 3.5). The plates were incubated at 30°C for 48 hours before enumeration. The levels of yeast and molds are expressed as \log_{10} CFU/ml. There were no mold present in any of the samples so the values presented for yeast and mold counts represent solely yeast contamination levels.

All of the various treatments after 181 days at 30°F, showed no signs of spoilage over the entire course of the study which is represented by the constant level of bacterial counts and a yeast count of 0 for all replications of the 4 treatments. The 30°C holding is an accelerated shelf life study that is equivalent to double the time at 20°C which is normal room temperature. From the data of both trials, it does not appear that spoilage will occur in the product with any of the 4 treatments used for the pineapple infused sake. This does not take into account deviations from "normal" sake preparation such as poor sanitation or highly contaminated pineapple used during the infusion process. The first sample of sake that was sent showed no spoilage problems in the control samples whereas the second sample showed spoilage problems in the control sample. The difference in batches suggests variations in the sake infusion protocol. Despite the high levels of yeast contamination in the second sample of sake, the intervention treatments were still capable of preventing spoilage in the finished product.

If you have any questions regarding the results or the interpretations, please feel free to contact me.

The invoice for the work is enclosed.

Sincerely,



Randy W. Worobo

Kintaro Sake Company
Set 1

Treatment	Bacterial Counts (log/ml)									
	1st plating 14 days	2nd plating 23 days	3rd plating 35 days	4th plating 56 days	5th plating 78 days	6th plating 91 days	7 th plating 125 days	8th plating 153 days	9th plating 181 days	
control-1	2.94	2.99	2.80	3.05	2.85	3.01	2.89	2.68	2.6	
control-2	2.85	2.96	2.87	3.01	2.75	3.09	2.91	2.73	2.6	
control-3	2.79	2.67	2.68	3.00	2.77	3.14	2.76	2.57	2.5	
300ppm sorbate-1	2.89	2.93	2.76	3.05	2.76	3.02	2.91	2.68	2.5	
300ppm sorbate-2	2.94	2.81	2.78	3.05	2.77	3.14	2.93	2.69	2.6	
300ppm sorbate-3	2.79	2.92	2.73	2.92	2.75	3.09	2.93	2.72	2.5	
145°F-1	2.83	2.81	3.11	3.13	2.76	3.10	2.91	2.64	2.5	
145°F-2	2.83	2.90	3.03	3.14	2.77	3.08	2.9	2.70	2.6	
145°F-3	2.91	2.95	3.06	3.13	2.74	3.00	2.89	2.60	2.5	
300 ppm benzoate-1	3.20	3.06	3.13	3.02	2.79	3.09	2.91	2.67	2.6	
300 ppm benzoate-2	3.19	3.83	3.10	3.84	2.72	3.05	2.91	2.68	2.6	
300 ppm benzoate-3	3.18	3.87	3.06	3.87	2.75	3.09	2.9	2.64	2.6	
benzoate & sorbate-1	3.08	3.83	3.02	2.92	2.69	3.04	2.84	2.63	2.5	
benzoate & sorbate-2	3.16	2.74	3.13	3.00	2.70	2.98	2.84	2.59	2.5	
benzoate & sorbate-3	3.16	2.77	3.13	3.07	2.77	3.04	1.86	2.62	2.5	

Treatment	Yeast and Mold Counts (log/ml)								
	1st plating 14 days	2nd plating 23 days	3rd plating 35 days	4th plating 56 days	5th plating 78 days	6th plating 91 days	7th plating 125 days	8th plating 153 days	9th plating 181 days
control-1	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.0	0.0
control-2	0.00	0.00	0.00	0.00	0.00	0.00	0.0	-0.30	0.
control-3	0.00	0.00	0.00	0.00	-0.30	0.00	0.0	0.0	0.
300ppm sorbate-1	0.00	0.00	0.00	0.00	-0.30	0.00	0.0	0.0	-0.3
300ppm sorbate-2	0.00	0.00	0.00	0.00	0.00	0.00	-0.30	0.0	0.
300ppm sorbate-3	0.00	0.00	0.00	0.00	0.00	0.00	0.0	0.0	0.
14.5°F-1	0.00	0.00	0.00	0.00	0.00	0.00	0.0	0.0	0.
14.5°F-2	0.00	-0.30	-0.30	0.00	0.00	0.00	0.0	0.0	0.
14.5°F-3	0.00	0.00	0.00	0.00	0.00	0.00	0.0	0.0	0.
300 ppm benzoate-1	0.00	0.00	0.00	0.00	0.00	0.00	0.0	0.0	0.
300 ppm benzoate-2	0.00	0.00	0.00	0.00	0.90	0.00	0.0	0.0	0.
300 ppm benzoate-3	0.00	0.00	0.00	0.00	0.00	0.00	0.0	0.0	-0.3
benzoate & sorbate-1	0.00	0.00	0.00	0.00	0.00	0.00	-0.30	0.0	0.
benzoate & sorbate-2	0.00	0.00	0.00	0.00	0.00	0.00	0.0	0.0	0.
benzoate & sorbate-3	0.00	0.00	0.00	0.00	0.00	0.00	0.0	0.0	0.

Kintaro Sake Company
Set 2

		Bacterial Counts (log/ml)								
		1st plating 7 days	2nd plating 19 days	3rd plating 40 days	4th plating 62 days	5th plating 82 days	6th plating 123 days	7th plating 151 days	8th plating 179 days	
3.60	6.33	5.54	3.60	3.39	2.95	2.67	2.64			
3.76	6.34	4.54	3.57	3.22	2.97	2.54	2.60			
3.58	6.32	5.40	3.60	3.36	2.92	2.57	2.76			
3.53	3.70	3.54	3.61	3.37	3.07	2.78	2.89			
3.49	3.59	3.55	3.47	3.40	3.08	2.79	2.85			
3.45	3.62	3.52	3.60	3.35	3.04	2.66	2.80			
3.56	3.54	3.56	3.53	3.34	3.05	2.51	2.70			
3.56	3.59	3.54	3.57	3.45	3.04	2.62	2.72			
3.51	3.50	3.64	3.57	3.44	3.00	2.65	2.65			
3.55	3.62	3.60	3.54	3.33	3.10	2.80	2.77			
3.62	3.65	3.59	3.53	3.36	2.98	2.77	2.77			
3.49	3.48	3.49	3.54	3.32	2.99	2.72	2.76			
3.56	3.58	3.37	3.56	3.37	2.99					
3.56	3.49	3.65	3.56	3.41	3.06	2.80	2.79			
3.60	3.57	3.65	3.50	3.38	3.07	2.80	2.83			

Yeast and Mold Counts (log/ml)									
1st plating 7 days	2nd plating 19 days	3rd plating 40 days	4th plating 62 days	5th plating 82 days	6th plating 123 days	7th plating 151 days	8th plating 179 days		
3.26	6.26	5.42	<2.00	0.00	0.00	-0.30	0.00	0.00	0.00
3.57	6.31	4.00	<2.00	0.00	0.00	0.00	0.00	0.00	0.00
2.57	6.23	5.36	<2.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00	0.00	0.00	0.00	0.00	-0.30	0.00	0.00	0.00	0.00
0.00	0.00	0.00	0.30	0.00	0.00	0.00	0.00	0.00	0.00
0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
-0.30	0.00	0.00	-0.30	0.00	0.00	-0.30	-0.30	-0.30	-0.30
0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
-0.30	0.00	0.00	0.00	0.00	-0.30	0.00	0.00	0.00	0.00
-0.30	0.00	0.00	0.00	0.00	-0.30	0.00	0.00	0.00	0.00
0.00	0.00	0.00	0.00	0.00	0.00	-0.30	0.00	0.00	0.00
-0.30	0.00	0.00	0.18	0.00	-0.30	0.00	0.00	0.00	0.00